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11 ZI CORPORATION, a Canadian corporation,
12 and ZI CORPORATION OF AMERICA, INC.,
a Nevada corporation

13 **UNITED STATES DISTRICT COURT**

14 **NORTHERN DISTRICT**

15 **SAN FRANCISCO DIVISION**

16 ASIAN COMMUNICATIONS PTY LTD., an
17 Australian corporation, and TEGIC
18 COMMUNICATIONS, INC., a Washington
corporation,

19 Plaintiffs,

20 v.

21 ZI CORPORATION, a Canadian corporation,
22 and ZI CORPORATION OF AMERICA, INC.,
a Nevada corporation,

23 Defendants.

24 CASE NO. 00-CV-0989 MMC

25 **PROPOSED ORDER GRANTING
ADMINISTRATIVE REQUEST TO
SEAL DOCUMENTS IN SUPPORT OF
DEFENDANT'S ARBITRATION
REPLY, CONTEMPT SUR-REPLY AND
MOTION FOR LEAVE TO FILE
CONTEMPT SUR-REPLY**

26 **DATE:** November 7, 2008

27 **TIME:** 9:00 A.M.

28 **COURT:** Courtroom 7, 19th Floor
Hon. Maxine M. Chesney

1 The Court having reviewed Defendants Zi Corporation and Zi Corporation of America,
 2 Inc.'s (collectively, "Zi") Administrative Request to Seal Documents in Support of Defendant's
 3 Arbitration Reply, Contempt Sur-Reply and Motion for Leave to File Contempt Sur-Reply
 4 ("Administrative Request") and the supporting Declaration of Eric B. Evans, Zi's Administrative
 5 Request to Seal is GRANTED.

6 Further, Zi has shown that good cause exists to seal the documents described in its
 7 Administrative Request, which are attached to declarations in support of, or referred to in, Zi's
 8 Reply in Support of its Cross-Motion to Compel Arbitration or, in the Alternative, Stay
 9 Proceedings Pending Arbitration ("Arbitration Reply"), its Sur-Reply in Support of Zi's
 10 Response to Tegic's Motion For An Order To Show Cause Why Defendants Should Not Be Held
 11 In Contempt Of Consent Judgment ("Contempt Sur-Reply"), and its Motion For Leave to File
 12 Contempt Sur-Reply ("Motion For Leave").

13 Therefore, for good cause shown, the Court ORDERS that:

14 (1) Exhibit A to the Declaration of George Tai in support of the Leave Sur-Reply ("Tai
 15 Declaration") constituting the parties' settlement agreement be filed under seal;

16 (2) Exhibit B to the Tai Declaration and Exhibit A to the Declaration of Lisa Dawson
 17 ("Dawson Declaration"), both constituting a transcript of voicemail reflecting negotiations
 18 toward parties' settlement agreement be filed under seal;

19 (3) Unredacted versions of Zi's Arbitration Reply, Contempt Sur-Reply, Motion For
 20 Leave, the Tai Declaration, and the Supplemental Declaration of Demetrio Navarro in support of
 21 the Contempt Sur-Reply, which include references to the parties' settlement agreement or
 22 negotiations, and/or Exhibits A & B to the Declaration of Demetrio Navarro filed in support of
 23 Zi's Response to Tegic's Motion For An Order To Show Cause Why Defendants Should Not Be
 24 Held In Contempt Of Consent Judgment ("Navarro Declaration") — previously ordered by this
 25 Court to be filed under seal — ~~in this matter~~ be filed under seal; and

26 (4) Zi be granted leave to file redacted, unsealed versions of its Arbitration Reply,
 27 Contempt Sur-Reply, Motion For Leave, the Tai Declaration, and the Supplemental Declaration

1 of Demetrio Navarro in support of the Contempt Sur-Reply, redacting references to the parties'
2 settlement agreement or negotiations, and/or Exhibits A & B to the Navarro Declaration.

3 As set forth in the Evans Declaration, the aforementioned materials are "sealable"
4 material under FED. R. CIV. P. 26(c) and Civil L.R. 79-5.

5 IT IS SO ORDERED.
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7 Dated: November 4, 2008
8



9 Hon. Maxine M. Chesney
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11 U.S. District Court Judge
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